

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

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Telephone Number Portability)

CC Docket No. 95-116

**FURTHER COMMENTS IN REPLY OF THE
CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

The Cellular Telecommunications Industry Association ("CTIA")¹ hereby submits its further comments in reply to the *Public Notice* in the above-captioned proceeding.² In the *Notice*, the FCC seeks comment on how the passage of the Telecommunications Act of 1996 may have affected the issues raised in the proposed rule making.

As the *Notice* indicates, Section 251(b)(2) of the Telecommunications Act of 1996 amends Title II of the Communications Act by inserting Section 22(b)(2) which requires local exchange carriers "... to provide, to the extent technically feasible, number portability in

¹ CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service ("CMRS") providers, including cellular, personal communications services, enhanced specialized mobile radio, and mobile satellite services.

² *Public Notice, Further Comments Telephone Number Portability*, CC Docket No. 95-116, DA 96-358 (released March 14, 1996) ("*Notice*").

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accordance with requirements prescribed by the Commission."³ Although this section of the Telecommunications Act of 1996 imposes no similar obligation on CMRS providers,⁴ wireless carriers will be directly affected by the Commission's action in this proceeding even if number portability is limited to wireline services.

As a threshold matter, the FCC should take a leadership position in establishing a nationwide uniform number portability platform and architecture.⁵ Wireless carriers are linked together by a nationwide common channel signaling network using the IS-41 protocol. As explained below, the IS-41 protocol will have to be revised substantially to accommodate both landline and wireless portability and still support wireless roaming and fraud prevention functions. Given the complexity of such revisions, as well as the delay multiple revisions entail, the FCC should endorse a single local number portability architecture.⁶

³ The Telecommunications Act of 1996, Pub. L. No. 104-104, § 251(b)(2).

⁴ The term "local exchange carrier" does not include persons engaged in the provision of a commercial mobile service under Section 332(c) of the Communications Act. See Telecommunications Act of 1996, Pub. L. No. 104-104, § 3(a)(44).

⁵ The Telecommunications Act of 1996 reinforces the Commission's authority to adopt a nationwide number portability solution. See Comments of Cox Enterprises at 3-4.

⁶ Similarly, the FCC should not adopt an interim solution, but instead should permit the wireless industry to

CTIA also believes that all CMRS services should be subject to the same portability requirements. Indeed, the principle of regulatory parity requires such treatment when similar services are substitutes for one another. As the Sprint Spectrum PCS service in the Washington-Baltimore MTA proves, the provision of "short messaging service" by broadband PCS providers, ESMRs, and cellular carriers blurs the previously clear distinction between broadband and narrowband PCS services and traditional cellular and paging services.

As CTIA previously has noted, number portability is of competitive importance in the CMRS market. However, because the CMRS market already is competitive and already provides one type of portability in the form of terminal mobility, there is not the same urgency for implementing portability as is present in the local exchange market. Indeed, Congress implicitly recognized this distinction when it excluded CMRS number portability from the statutory requirements of Section 251(b)(2) of the Telecommunications Act of 1996 which imposes the obligation to provide number portability exclusively on local exchange carriers.⁷

focus its efforts on the development and deployment of a permanent number portability system. Any interim database solution is likely to impede progress toward a permanent solution and is likely to cause compatibility problems for roaming access.

⁷ The Telecommunications Act of 1996 supports deferring the imposition of number portability requirements on

Because CMRS services are interconnected with the public switched network, the implementation of number portability by local exchange carriers will affect all wireless service providers. They will also be affected by the implementation of number portability in wireless networks even if only a few wireless service providers are participants. Therefore, CMRS providers require a single uniform national solution for number portability. Once a uniform approach to number portability is established, wireless service providers will be able to implement a technical solution based on the solution adopted by local exchange carriers. However, CMRS implementation of number portability must await development of the needed revisions to IS-41, which, in turn, can only be developed after the Commission has resolved landline portability requirements.⁸

Wireless networks employ "IS-41" technology to enable subscribers to use their wireless telephones throughout the nation and to check fraud. IS-41 facilitates the exchange of data and other pertinent information between wireless

wireless providers. See Further Comments of Bell Atlantic NYNEX Mobile, Inc. at 2; Further Comments of SBC Communications Inc. at 3; Comments of BellSouth and BellSouth Telecommunications Inc. at 6; ex parte submission of GTE dated March 27, 1996.

⁸ See ex parte submission of Northern Telecom dated March 14, 1996 (national forum is needed to address technical issues preventing wireless networks from participating in local number portability).

switches, thus enabling different mobile switching centers to communicate with one another.⁹ Modifications to current wireless signaling, call routing, and translation functions will be required to support call registration, validation, and call delivery of wireless systems in a number portability environment. Such modifications must not interfere with a wireless subscriber's ability to roam.¹⁰

In addition to the modifications required to the signaling, routing, and translation functions of the wireless networks, other important technical and policy considerations must be resolved. For instance, wireless network architecture will need to be modified to accommodate new number port addresses. New test procedures will need to be developed for number portability due to required modification of existing roaming functionalities. Redundant and back-up systems must be updated. Rating and billing modifications will be required which will impact the wireless carriers' post-processing methods. Anti-fraud

⁹ For example, when a telephone call request is transmitted over a wireless network, the home switch serving the subscriber queries its home location register ("HLR") database to determine whether the subscriber is in good standing, i.e., the process validation. Similarly in a roaming context, the visiting location register ("VLR") database transmits IS-41 messages back to the home carrier's HLR to validate the wireless telephone number associated with that subscriber and permit delivery of the call.


¹⁰ In addition, the capability to roam within similar technologies internationally should not be diminished.

mechanisms designed to combat the increasing activity in wireless fraud must be supported and not compromised. Procedures must be devised to ensure that 911 calls are routed to the appropriate public safety answering point ("PSAP") operator and new procedures must be created for routing 611 repair and customer service calls. Law enforcement needs and the electronic surveillance requirements of the Communications Assistance of Law Enforcement Act of 1994 must be supported. Furthermore, the introduction of number portability could lengthen the post dial delay on some calls. This must be carefully analyzed to assure that such delay is kept within tolerable limits.

While many of these factors are common to both wireline and wireless systems, some, such as roaming and fraud, uniquely apply to wireless networks. Therefore, the Commission should defer from imposing portability requirements on CMRS providers until it completes its statutory obligation to address and resolve number portability requirements for local exchange carrier networks. However, once number portability requirements are established for local exchange carriers, the FCC should then address number portability requirements for CMRS providers. The creation of a uniform national plan that provides number portability solutions for both wireline and wireless systems is essential to the development of competition between

telecommunications service providers, as well as providing expanded customer choices, services, and products.

Respectfully submitted,


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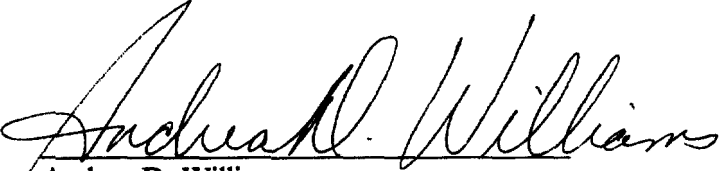
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I, Andrea D. Williams, do hereby certify on this 5th day of April 1996, copies of the foregoing Reply Comments of the Cellular Telecommunications Industry Association were sent via hand-delivery or first class mail to the persons on the attached service list.


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